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RECONVENED TECHNICAL MEETING ON THE INTERNATIONAL YEAR FOR THE WORLD'S INDIGENOUS PEOPLE HELD IN ACCORDANCE WITH GENERAL ASSEMBLY RESOLUTIONS 46/128 and 47/75

Geneva, 14-16 July 1993

Note by the secretariat

Report of a Consultation between Representatives of Indigenous Peoples and International Development, Human Rights and Other Agencies, held at United Nations Headquarters, New York, on 11 December 1992 in conjunction with the ceremonies launching the International Year of the World's Indigenous People

1. The Consultation between Representatives of Indigenous Peoples and Development and Human Rights Agencies took place on 11 December 1992 at United Nations Headquarters. It was organized by the Centre for Human Rights and the International Labour Office (ILO) in cooperation with the NGO Committee on the International Year of the World's Indigenous People. Governments were invited to send observers and a number did so. Representatives of several non-governmental organizations having a particular interest in indigenous issues were also in attendance. Plenary sessions were held from 10.30 a.m. to 1.00 p.m. and from 4.30 p.m. to 6.00 p.m. Direct bilateral discussions between indigenous and agency representatives took place between 2.30 and 4.30 p.m.

2. The meeting was co-chaired by Ms. Grace Smith of the Navajo Nation, Mr. Oren Lyons of the Onondaga Nation and Mr. Ian Chambers, ILO representative to the United Nations. With the agreement of the meeting, the co-chairpersons have prepared the present report and conclusions of the Consultation.

3. While it was recognized by both the organizers and participants that a one-day meeting was entirely insufficient to address all of the issues, the feeling was generally expressed at the end of the Consultation that it had been a useful exercise and that future meetings within the United Nations

system bringing together indigenous and agency representatives might wish to use it as a basis for further discussions both in terms of its conclusions and recommendations and with reference to its format. The possibility which the latter offered of following up specific issues in direct bilateral contacts was a feature particularly appreciated by many participants.

4. The following paragraphs set out the main issues of general purport raised and proposed actions or approaches to deal with them.

Issue No. 1. Access

5. One of the major problems for indigenous people in relation to intergovernmental development agencies is to have access to them in order to:

(a) Obtain information on their programmes;

(b) Provide information on the real situation of indigenous communities;

(c) Present proposals and suggestions for activities in favour of indigenous communities; and

(d) Contribute to the design, implementation and evaluation of projects and programmes by foreseeing, measuring and describing their impact on indigenous peoples.

(a) Obtaining information

6. Although a fair number of publications exist explaining the aims, scope and procedures of the development programmes of the United Nations, its specialized agencies, the World Bank and regional development banks (Inter-American Development Bank, African Development Bank, Asian Development Bank, European Bank for Reconstruction and Development) and the new Latin American and Caribbean Indigenous Development Fund, a great many indigenous leaders and representatives do not have easy access to these both because they are not physically available to them and because they are not published in languages that indigenous decision-makers understand.

7. To help address this problem, ILO is preparing a handbook, to be issued before the end of 1993, which is designed to provide at least basic information on the development bodies, policies and procedures available to indigenous people.

8. The Consultation considered it important also that each agency designate both at the headquarters and, where possible, local level, an official who could serve as a focal point for inquiries from indigenous representatives. Such officials should have responsibility not only for referring the indigenous inquiry to the right place but for following up to ensure that a reply is obtained within a reasonable time, because one of the present difficulties identified is the slowness of communications, especially from agency headquarters.

9. As regards indigenous focal points at the local level, they should receive written instructions from their headquarters regarding their obligations to assist indigenous people in obtaining information, and in countries where there is a significant indigenous population, they should familiarize themselves with at least the major indigenous language.

10. The Department of Public Information (DPI) of the United Nations and the United Nations information centres in different countries should take an active role in regard to channelling information on the United Nations system to indigenous people.

(b) Providing information

11. Several agency representatives referred to the difficulty they experience in obtaining information on the real situation of indigenous people. The best source of such information is clearly indigenous communities themselves and they should make increased efforts to ensure that such information is provided. In the course of the Consultation, a number of indigenous representatives passed in very informative publications and periodicals containing a great deal of information about the situation of their peoples. These should certainly be sent to the focal points in the various agencies at local and international levels. Technical assistance could perhaps be provided by some of the agencies to help train information officers amongst indigenous representatives.

12. More broadly, there is a clear need for more information on the indigenous peoples to be circulated at national, regional and international levels, both for adults and in school curricula. This question is dealt with at greater length under Issue No. 3 below.

(c) Presenting proposals

13. Since much of the framework of official development assistance is governmental, and since many of the governmental officials dealing with indigenous peoples have themselves very limited (if any) access to negotiations on development programmes, indigenous peoples often find it very difficult to get their programme and project proposals for financial and technical assistance into the development planning process.

14. In some cases, indigenous representatives can have direct access to agency representatives at the country level (e.g., UNICEF, ILO, the Latin American and Caribbean Indigenous Development Fund) but in other cases, established procedures required by Governments or by the agencies themselves may impede such access.

15. One way to meet this difficulty would be to request United Nations resident coordinators to convene meetings of their development colleagues (which could, and should, also include representatives of bilateral assistance programmes) to discuss with indigenous representatives directly their needs and priorities. A special effort in this regard should be requested during the International Year of the World's Indigenous People and, because the Year is one declared by a General Assembly resolution, it may be easier than before to arrange such a dialogue. It has to be recognized that in certain countries

for political or other reasons, Government counterparts of development agencies may be reluctant for such meetings to take place but, in such cases, headquarters officials may be requested to encourage Governments to modify their position and, where appropriate, such meetings could be organized at the regional level to remove participants from the particular pressures of the national political scene.

16. In connection with this issue, the Consultation agreed that special attention needs to be paid to proposals from indigenous groups resident in developed countries in which most development agencies are not represented and for which they do not have assistance programmes. Although it is the responsibility of national Governments in such countries to provide for the needs of the entire population, including indigenous peoples, since they are presumed to have the financial means to do so, international development agencies may be able to help, for example, out of small project special funds. (The representative of the World Bank alluded to such a possibility.) Developed countries (like developing countries) which have ratified the ILO Conventions (Nos. 197 and 169) on indigenous and tribal populations are under certain obligations in international law with respect to such assistance and the ILO supervisory bodies can assist by drawing this obligation to the attention of Governments at the appropriate level.

(d) Programme and project design, implementation and evaluation

17. It is fundamental that indigenous peoples should democratically decide on their mode of development. Indigenous peoples should be able to make their views known on what kind of development projects are undertaken in their regard, how those projects and programmes affect them, how they can be improved and what their real impact has been. This is the case not only for operations specifically targeting indigenous peoples but also for more broadly designed projects and programmes (e.g., in rural development, infrastructure, economic adjustment and environment) which may have as much or more effect on them than "indigenous" projects.

18. One way in which this might be achieved is by means of the type of meeting described in paragraph 15 above. Also agencies could make efforts to provide in-project arrangements for the inclusion of indigenous representatives in planning, implementation and evaluation teams and discussions. At the local and international levels, panels of indigenous experts could be constituted to provide representatives for the evaluation of programmes. The representative of the World Bank informed the Consultation of his institution's intention to invite indigenous representatives to help assess the environmental impact of World Bank projects.

19. Whatever the level of participation or type of activity, however, the Consultation stressed the fundamental importance of the requirement that "indigenous representatives" must indeed be "representative". They must be chosen by the indigenous communities concerned in order to be their legitimate representatives. While others, usually drawn from the ranks of the dominant society or from the officials of governmental or non-governmental organizations, have fulfilled an important and appreciated advocacy role for indigenous peoples in the past, the time has now come for the indigenous to speak their own thought with their own voice directly and not through

intermediaries. There is a responsibility on agency officials dealing with indigenous issues to be sensitive to this matter and to ascertain the legitimacy and representativity of persons purporting to speak and act on behalf of indigenous peoples.

Issue No. 2. Training and capacity-building

20. While many agency representatives at the Consultation referred to the need and responsibility of their own organizations to become more knowledgeable of, and sensitive to, indigenous issues, it was readily recognized that indigenous representatives need to acquire greater knowledge of the possibilities, constraints, policies and procedures of the agencies themselves, which have a much wider mandate than indigenous issues.

21. To address this issue, long-term capacity-building programmes need to be envisaged. One method would be for the agencies, especially in their departments most relevant to indigenous concerns, to provide internships of two to six months, during which indigenous interns would work alongside their agency counterparts. This would not only provide a valuable training possibility for indigenous persons but also help to sensitize agencies to indigenous concerns. In addition to regular funding programmes for such training, Junior Professional Officer (JPO) and Associate Experts programmes could also be used for the purpose, providing opportunities for indigenous people of both developed and developing countries.

22. Another important element could be the use of indigenous experts from developed countries, who have expertise in law, economics, finance, project preparation and evaluation, to assist indigenous brothers and sisters in developing countries. While it is understood that there are as great differences and varieties in cultures, legal and political systems and development priorities amongst the indigenous peoples of the world as there are amongst other societies, the solidarity and sensitivity of indigenous experts would predispose them to be more sensitive to indigenous concerns elsewhere. A good example of this is the Trilateral Agreement elaborated by the Algonquins of Barrière Lake (Canada) in dealing with the social, economic and political consequences of a major infrastructural project proposal. The experience gained by the indigenous representatives in these negotiations could be of great assistance to other indigenous groups faced with similar situations.

23. The need for indigenous people to have access to specialized training in fields such as tourism, genetic engineering and demographics was also highlighted.

24. Attention was drawn to the financial implications of the suggestions set out above. Solutions do not seem too difficult to find. The small project funds administered by a number of institutions such as the World Bank and the Inter-American Development Bank could be drawn on. The United Nations system itself has a variety of finances for training. Donor Governments committed to the aims of the International Year could also help in such training and exchange efforts. The Latin American and Caribbean Indigenous Development Fund also seems an ideal vehicle for such activities. Imagination, good will

and a real commitment to contribute to the improvement of the situation of indigenous peoples worldwide can go a long way towards implementing these proposals.

Issue No 3. Ignorance of the indigenous situation

25. For a host of reasons, some international, some not, there is a pervasive ignorance throughout the world of indigenous cultures, history, institutions, perspectives, needs and aspirations. One of the major objectives of the International Year of the World's Indigenous People is to start to overcome this unfortunate situation. One year is not nearly enough but a start can be made and must then be sustained.

26. Especially in countries with large indigenous communities, but even in those having few or none, efforts must be increased to introduce indigenous culture into school curricula. All too often, indigenous society is depicted, if at all, as backward, marginal or folklorically quaint. It is important to portray indigenous societies for what they really are, dynamic and significant parts of national society, building on a different set of institutions, knowledge and traditions which have their legitimate place in the national culture. UNESCO and the Department of Public Information of the United Nations have a particular role to play in this regard while indigenous people themselves have an obligation to provide the knowledge and assistance to them so that there can be a much broader and more balanced dissemination of understanding of indigenous cultures.

27. But if there is widespread ignorance about the positive aspects of indigenous cultures, there is equally far-reaching ignorance about the more sombre realities of indigenous life - the discrimination, the human rights abuses, the economic, social and political marginalization which most indigenous societies endure. It is hoped that the occasion of the International Year will be used by the bodies and agencies of the United Nations system concerned with human rights, especially the Centre for Human Rights, UNICEF and ILO to draw the attention of the broader public to the fact that so many indigenous peoples in both developed and developing countries do not enjoy the human rights enshrined in United Nations and ILO instruments on the subject.

28. As part of the activities of the International Year, a number of meetings and conferences are also planned which should help to increase knowledge of indigenous realities. One such will take place in the Philippines from 11 to 19 April 1993, and another is planned for later in the year in Central and South America.

29. The feeling was expressed that there had been insufficient media coverage of the launching of the International Year. It was suggested that if the Secretary-General himself gave a press conference on indigenous issues, this would contribute to increasing media attention to them.

Issue No. 4. Development financing

30. Up to now, indigenous peoples have benefited very little in general from official development financing. They are frequently the most marginalized

groups within national societies. They are often also the poorest. Yet, with a few notable exceptions, in spite of the emphasis of many agencies' and institutions' programmes on poverty alleviation and the "poorest of the poor", the indigenous have been excluded, at best left to their own devices and at worst victims rather than beneficiaries of "development". In some cases, too, indigenous peoples have understandably shunned national, regional and local development programmes which threaten their identity, traditions and way of life.

31. As is the case with many marginalized groups, indigenous representatives dissatisfied, and usually quite rightly, with the performance in their regard of the Governments in the countries in which they live, turn to the United Nations. This sense that the United Nations should be more attentive to their concerns is heightened for many indigenous peoples because they, quite unlike other marginalized groups, consider themselves "peoples" or nations who should enjoy the right to self-determination which the United Nations recognizes as a right of all peoples.

32. Such issues are both so far-reaching and of such political complexity that they go beyond the scope and mandates of development agencies and institutions. They are being addressed in the framework of the Commission on Human Rights by the Working Group on Indigenous Populations, which is preparing the Universal Declaration on the Rights of Indigenous Peoples. They must be alluded to, however, in the context of the Consultation because they provide not only an indispensable background to understanding the positions taken by many indigenous representatives but also influence strongly the problems of access to and influence over the provision of development assistance.

33. Forced to compete with other groups, often more numerous and influential than themselves, indigenous peoples have little chance of gaining greater access to development financing in present conditions. It was in recognition of this fact that the Latin American and Caribbean Indigenous Development Fund was established, not only to facilitate financing for indigenous programmes in that region but to give indigenous peoples an equal voice with Governments in determining the uses and priorities of the funds available. Other regions may wish to envisage similar initiatives.

34. By analogy with UNIFEM, the United Nations development fund for women, a specially dedicated United Nations development fund for indigenous peoples could be envisaged, but the experience with the low level of contributions to the existing voluntary fund for activities for the International Year of the World's Indigenous People is scarcely encouraging.

35. It is not the secretariats of the international governmental organizations which determine the use of the funds at their disposal. Such decisions are the right and prerogative of the Governments which form them. The best the secretariats can do is to draw attention to the situation of indigenous peoples and encourage greater sensitivity and commitment to their cause. The agency representatives who participated in the Consultation are committed to doing so.

Issue No. 5. Relevance of the Consultation

36. Throughout this Consultation various proposals and suggestions have been made as to how to address concretely and with some hope of success at least some of the problems faced by indigenous peoples and the agencies in their interactions. The Consultation discussed the question of how these proposals and suggestions could be fed into the development system both during the International Year and subsequently.

37. It was decided that the report and conclusions of the Consultation should be brought to the attention of the Secretary-General of the United Nations and the executive heads of the programmes, agencies and institutions represented with the request that they consider them and take appropriate action.

38. It was decided that the report and conclusions should be transmitted to the next Technical Meeting on the International Year of the World's Indigenous People, to be held in Geneva in July 1993.

39. It was decided that the report and conclusions should be sent to participants and Governments of the States Members of the United Nations.

40. It was decided that at the meeting to mark the end and to evaluate the impact of the International Year of the World's Indigenous People, and at any similar meetings at the national and regional levels, the extent to which the proposals herein contained have been put into operation should be examined.

41. There was unanimous agreement that the attention of the United Nations system and others to the situation of the world's indigenous peoples must not end with the International Year. The latter can and must only constitute a beginning. With respect to longer-term arrangements, the following suggestions were made:

(a) To continue and expand the valuable reports begun by the United Nations Centre on Transnational Corporations on the situation of the world's indigenous;

(b) To establish a United Nations office for indigenous peoples;

(c) To institute annual meetings at an appropriate level to review the fate of proposals for development projects submitted by indigenous people to explain why they were accepted or rejected and what progress has been achieved.

Other issues

42. Certain other issues were raised towards the end of the Consultation. For want of time, they could not be discussed. They are nevertheless important and for that reason listed below:

(a) Specific efforts should be made to explain to indigenous people their rights under international instruments, agreements and treaties. The particular example of intellectual property was mentioned;

(b) There should be greater recognition of indigenous intellectual achievements such as appropriate technologies in infrastructure, agriculture, agronomy and ecology, and this knowledge and its repositories should be brought into the mainstream of development;

(c) A special effort should be made during the International Year of the World's Indigenous People to secure the release of indigenous prisoners of conscience.

Acknowledgements

43. The organizers of the Consultation wish to thank most warmly the representatives of the programmes, agencies and institutions both for their very helpful participation in the meeting and for the useful background information notes which they provided. They also address particular thanks to the indigenous representatives for the efforts they made in preparing for the meeting and for the patience and consideration they displayed which enabled a maximum number of participants to intervene. Finally, a special expression of gratitude must be conveyed through the Secretary-General to his colleagues in the security and interpretation services who, in spite of the worst winter storm New York had experienced in many years, remained for the full extent of the meeting even though the essential services in the building had been shut down and the rest of the staff sent home.